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2016-cv-07477-3 PM 3:39

CLERK'S OFFICE

DATE: Judge Paul G. Gardephe, 11/1/2016

I am a professional freelance journalist. I am writing to advise you that I have not been properly served in this case. The sworn statement by Howard Collado, process server #1455013, is a lie. I spoke with the head doorman (David) at 1725 York Ave who was on duty Oct 14<sup>th</sup> for the morning shift who says no one came into the building to request service that morning. There is also video of the lobby that morning that can prove this. That is why the process server doesn't have the name of a doorman who signed for service and there is no proof of any person accepting service. This plaintiff's counsel has started this case on a lie. I can provide the court with copies of the building videos and a signed statement by the doorman on duty if needed.

Honig's New York Council has emailed me a copy of the complaint asking I accept service. I called and said I got their email and when I secure a pro bono lawyer they will accept service. The reporters Committee for Freedom of the Press, a D.C. nonprofit www.rcfp, is working through its list of pro bono lawyers who are currently running conflict checks and going through the process of firm approval to take the case. The committee has agreed to help in the case because it is an anti-slaap suit and told me they are confident I will have an attorney soon. I am not trying to avoid service.

Additionally, I would like to inform the court that Barry Honig has tried to reach me through a third party, Robert Ladd the CEO of MGT Capital, to request a 'private meeting' without lawyers in October after he filed this vexing lawsuit against a Journalist reporting on a public figure. I told Mr. Ladd I found that request unusually and to tell Barry if he wants to speak to me it should be through his attorney.

Mr. Honig through his counsel Charles Harder also has begun a bully campaign against this journalist by writing the attached in a 13-d filing which doesn't relate to the nature of the filing which is to report when Honig sells or buys shares in the publicly trading company MGT Capital. There are also misleading statements in what they wrote on a public document.

Based on interviews with two other people in lawsuits with Mr. Honig these aggressive tactics appear par for the course in how Mr. Honig tries to use the law to prohibit speech about his alleged illegal financial scheme involving microcap public companies which I have reported people involved in the case say the SEC is investigating. I believe Mr. Honig's intent in this lawsuit is to try to gain access to sources that have spoken on condition of anonymous source protection. I have every intention of defending this case to trial if needed.

I am requesting a 30 day extension to answer the complaint and finish securing pro-bono counsel.

Thank you for your attention to this matter,

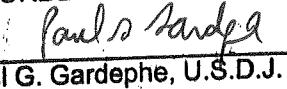


Teri Buhl

MEMO ENDORSED

The Application is granted.

SO ORDERED:

  
Paul G. Gardephe, U.S.D.J.

Dated: Nov. 7, 2016

Attachment A



PS41025

Form 42 - DOORHAN WITH MILITARY

DEALY, SILBERSTEIN & BRAVERMAN, LLP DEALY & SILBERSTEIN  
U S DISTRICT COURT SOUTHERN DISTRICT STATE OF NEW YORK

BARRY HONIG, AN INDIVIDUAL

PLAINTIFF

- vs -

TERI BUHL, AN INDIVIDUAL, ETAL

DEFENDANT

STATE OF NEW YORK, COUNTY OF NEW YORK :SS:

HOWARD COLLADO being duly sworn, deposes and says; I am over 18 years of age, not a party to this action, and reside in the State of New York.  
That on the 14TH day of OCTOBER, 2016 10:51AM at  
1725 YORK AVENUE, APT. 30G  
NEW YORK NY 10128

I served the SUMMONS AND COMPLAINT, CIVIL COVER SHEET  
after prior attempts were made on: 09/29/2016, 5:50AM 10/03/2016, 8:49PM  
upon TERI BUEHL, AN INDIVIDUAL the DEFENDANT therein named by delivering and leaving a true copy  
or copies of the aforementioned documents with (JOHN SMITH) (WHO REFUSED FULL NAME), DOORHAN  
a person of suitable age and discretion, who refused access to DEFENDANT actual apartment, and  
accepted in accordance with his/her everyday duties.

Deponent describes the person served as aforesaid to the best of deponent's ability at  
the time and circumstances of the service as follows:

SEX: MALE COLOR: TAN HAIR: BLACK AGE: 38 HEIGHT: 5'8 WEIGHT: 155

OTHER IDENTIFYING FEATURES

On 10/14/2016 I deposited in the United States mail a true copy of the aforementioned documents  
properly enclosed and sealed in a post-paid wrapper addressed to the said DEFENDANT at the  
above address. That address being  
the usual place of abode, last known residence of the DEFENDANT.

Copy mailed 1st class mail marked personal and confidential not indicating on the outside  
thereof by return address or otherwise that said notice is from an attorney or concerns an  
action against the person to be served.  
That at the time of service, as aforesaid, I asked the person spoken to whether the DEFENDANT  
was in the military service of the State of New York or United States and received a negative  
reply. Upon information and belief based upon the conversation and observation as aforesaid I  
aver that the DEFENDANT is not in the military service of the State of New York or the United  
States as that term is defined in statutes of the State of New York or the Federal Soldiers and  
 Sailors Civilian Relief Act.

COMMENTS:

Sworn to before me this  
14TH day of OCTOBER, 2016

  
JOSHUA LEE  
Notary Public, State of New York  
No. 01166252924  
Qualified in KINGS COUNTY  
Commission Expires 12/19/2019

  
HOWARD COLLADO DCA LIC #1455013  
inSync Litigation Support, LLC  
75 MAIDEN LANE 11TH FLOOR  
NEW YORK, NY 10038  
Reference No: 7-DS13-541025

10  
21

Attachment  
B

SC 13G/A 1 honig13ga-am2\_mgtsep28201.htm AMENDMENT NO. 2 TO SCHEDULE 13G

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SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, DC 20549

**Amendment No. 2**  
To  
**SCHEDULE 13G**  
(Rule 13d-102)

**INFORMATION TO BE INCLUDED IN STATEMENTS FILED PURSUANT  
TO RULE 13d-1(b) (c), AND (d) AND AMENDMENTS THERETO FILED PURSUANT TO  
RULE 13d-2(b)**

MGT Capital Investments, Inc.  
(Name of Issuer)

COMMON STOCK, PAR VALUE \$0.001  
(Title of Class of Securities)

55302P202  
(CUSIP Number)

Barry Honig  
555 South Federal Highway #450  
Boca Raton, FL 33432  
(Name, Address and Telephone Number of Person  
Authorized to Receive Notices and Communications)

September 29, 2016  
(Date of Event Which Requires Filing of This Statement)

Check the appropriate box to designate the rule pursuant to which this Schedule is filed:

Rule 13d-1(b)  
 Rule 13d-1(c)  
 Rule 13d-1(d)

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CUSIP No. 55302P202

1	NAME OF REPORTING PERSONS S.S. OR I.R.S. IDENTIFICATION NOS. OF ABOVE PERSONS (ENTITIES ONLY) Barry Honig	
2	CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP* (a) <input type="checkbox"/> (b) <input type="checkbox"/>	
3	SEC USE ONLY	
4	CITIZENSHIP OR PLACE OF ORGANIZATION  United States	
NUMBER OF SHARES  BENEFICIALLY OWNED BY  EACH REPORTING  PERSON WITH	5	SOLE VOTING POWER 0
	6	SHARED VOTING POWER 0
	7	SOLE DISPOSITIVE POWER 0
	8	SHARED DISPOSITIVE POWER 0
9	AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON 0	
10	CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (9) EXCLUDES CERTAIN SHARES <input type="checkbox"/>	
11	PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 9 0% (Based on 25,875,528 shares of common stock outstanding as of September 23, 2016)	
12	TYPE OF REPORTING PERSON IN	

CUSIP No. 55302P202

1	NAME OF REPORTING PERSONS S.S. OR I.R.S. IDENTIFICATION NOS. OF ABOVE PERSONS (ENTITIES ONLY) GRQ Consultants, Inc. 401K (1)	
2	CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP* (a) <input type="checkbox"/> (b) <input type="checkbox"/>	
3	SEC USE ONLY	
4	CITIZENSHIP OR PLACE OF ORGANIZATION  Florida	
NUMBER OF SHARES  BENEFICIALLY OWNED BY  EACH REPORTING  PERSON WITH	5	SOLE VOTING POWER 0
	6	SHARED VOTING POWER 0
	7	SOLE DISPOSITIVE POWER 0
	8	SHARED DISPOSITIVE POWER 0
9	AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON 0	
10	CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (9) EXCLUDES CERTAIN SHARES <input type="checkbox"/>	
11	PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 9 0% (Based on 25,875,528 shares of common stock outstanding as of September 23, 2016)	
12	TYPE OF REPORTING PERSON OO	

(1) Mr. Honig is the trustee of GRQ Consultants, Inc. 401K ("401K") and in such capacity holds voting and dispositive power over the securities held by 401K.

CUSIP No. 55302P202

1	NAME OF REPORTING PERSONS S.S. OR I.R.S. IDENTIFICATION NOS. OF ABOVE PERSONS (ENTITIES ONLY) GRQ Consultants, Inc. Roth 401K FBO Barry Honig (1)	
2	CHECK THE APPROPRIATE BOX IF A MEMBER OF A GROUP* (a) <input type="checkbox"/> (b) <input type="checkbox"/>	
3	SEC USE ONLY	
4	CITIZENSHIP OR PLACE OF ORGANIZATION  Florida	
NUMBER OF SHARES	5	SOLE VOTING POWER 0
BENEFICIALLY OWNED BY	6	SHARED VOTING POWER 0
EACH REPORTING	7	SOLE DISPOSITIVE POWER 0
PERSON WITH	8	SHARED DISPOSITIVE POWER 0
9	AGGREGATE AMOUNT BENEFICIALLY OWNED BY EACH REPORTING PERSON 0	
10	CHECK BOX IF THE AGGREGATE AMOUNT IN ROW (9) EXCLUDES CERTAIN SHARES <input type="checkbox"/>	
11	PERCENT OF CLASS REPRESENTED BY AMOUNT IN ROW 9 0% (Based on 25,875,528 shares of common stock outstanding as of September 23, 2016)	
12	TYPE OF REPORTING PERSON OO	

(1) Mr. Honig is the trustee of GRQ Consultants, Inc. Roth 401K FBO Barry Honig ("Roth 401K") and in such capacity holds voting and dispositive power over the securities held by Roth 401K.

**Item 1(a). Name of Issuer:**

MGT Capital Investments, Inc. (the "Company")

**Item 1(b). Address of Issuer's Principal Executive Offices:**

The principal executive office of the Company is located at:

500 Mamaroneck Avenue, Suite 320  
Harrison, NY 10528

**Item 2(a). Name of Person Filing.**

This statement is filed on behalf of Barry Honig, 401K and Roth 401K (together, the "Reporting Person").

**Item 2(b). Address of Principal Business Office or, if None, Residence.**

The Reporting Person's business address is:

555 South Federal Highway #450, Boca Raton, FL 33432

**Item 2(c). Citizenship.**

Mr. Honig is a citizen of the United States. 401K and Roth 401K are organized in the State of Florida.

**Item 2(d). Title of Class of Securities.**

Common Stock, par value \$0.001 ("Common Stock").

**Item 2(e). CUSIP Number.**

55302P202

**Item 3. Type of Person.**

Not applicable.

**Item 4. Ownership.**

(a) Amount beneficially owned: 0

(b) Percent of class: 0% (Based on 25,875,528 shares of common stock outstanding as of September 23, 2016)

(c) Number of shares as to which the person has:

- (i) Sole power to vote or to direct the vote: 0
- (ii) Shared power to vote or to direct the vote: 0
- (iii) Sole power to dispose or to direct the disposition of: 0
- (iv) Shared power to dispose or to direct the disposition of: 0

**Item 5. Ownership of Five Percent or Less of a Class.**

**Item 6. Ownership of More than Five Percent on Behalf of Another Person.**

Not applicable.

**Item 7. Identification and Classification of the Subsidiary Which Acquired the Security Being Reported by the Parent Holding Company or Control Person.**

Not applicable.

**Item 8. Identification and Classification of Members of the Group.**

Not applicable.

**Item 9. Notice of Dissolution of Group.**

Not applicable.

**Item 10. Certifications.**

By signing below I certify that, to the best of my knowledge and belief, the securities referred to above were not acquired and are not held for the purpose of or with the effect of changing or influencing the control of the issuer of the securities and were not acquired and are not held in connection with or as a participant in any transaction having that purpose or effect.

**SIGNATURE**

After reasonable inquiry and to the best of my knowledge and belief, I certify that the information set forth in this statement is true, complete and correct.

Date: September 29, 2016

By: /s/ Barry Honig  
Barry Honig

GRQ Consultants, Inc. 401K

Date: September 29, 2016

By: /s/ Barry Honig  
Barry Honig, Trustee

GRQ Consultants, Inc. Roth 401K FBO Barry Honig

Date: September 29, 2016

By: /s/ Barry Honig  
Barry Honig, Trustee

**STATEMENT BY CHARLES J. HARDER, ESQ. ON BEHALF OF BARRY HONIG**

On September 26, 2016, Barry Honig filed a libel action in the U.S. District Court for the Southern District of New York (Manhattan) against Teri Buhl who claims to be an “investigative journalist” in the financial industry. Buhl wrote two articles about Mr. Honig and his investment in MGT Capital Investments, Inc. that contain numerous false and defamatory statements about Mr. Honig.

Buhl’s articles are a far cry from journalism, and instead are reckless bombastic rants unsupported by fact or research, packaged as “clickbait” to attract viewers to Buhl’s pay site. No actual investigative reporting appears and, instead, Buhl “relies” on unfounded allegations, baseless accusations and idle gossip. No legitimate financial news publication would report this way, and perhaps it is for that reason that Buhl does not work for one.

Before filing suit, Mr. Honig’s attorney, Charles J. Harder, sent multiple communications demanding the retraction of the defamatory statements, and for an apology. Buhl responded to each demand by stating that she would not retract anything, or apologize. Accordingly, Mr. Honig was left with no reasonable alternative but to file suit.

Buhl admits at her website that she was convicted of harassing her boyfriend and his daughter, and **ordered to serve 30 days in a maximum security prison** for the crime. After her arrest and criminal conviction, one would expect Buhl to correct her conduct and follow the law. Unfortunately, her libelous and defamatory conduct toward Mr. Honig demonstrate a continuation of her illegal conduct and harassment of others.

Example of Honig Sully tactics

Attachment



Teri Buhl &lt;teribuhl@gmail.com&gt;

**HONIG v. BUHL, et al.**

5 messages

**Amanda Maguire** <amaguire@dsblawny.com>  
To: "teribuhl@gmail.com" <teribuhl@gmail.com>  
Cc: Milo Silberstein <MSilberstein@dsblawny.com>, Harvey Kesner <hkesner@srff.com>, Charles Harder <charder@hmafirm.com>

Wed, Oct 19, 2016 at 2:13 PM

Ms. Buhl:

Attached is an Affidavit of Service, which was filed with the Court today in the above-referenced matter. The Affidavit of Service indicates that you were served with the Summons, Complaint and Civil Cover Sheet at your address in New York on October 14, 2016. Accordingly, you have twenty-one (21) days from the date of service to file a responsive pleading – *i.e.*, by November 4, 2016.

Best,

Amanda E. Maguire



Amanda E. Maguire, Esq.

225 Broadway, Suite 1405

New York, New York 10007-3001

Tel: (212) 385-0066

Fax: (212) 385-2117

amaguire@dsblawny.com

www.dsblawny.com

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 **NY Affidavit of Service - Buhl.pdf**  
59K

**Teri Buhl** <teribuhl@gmail.com>  
To: Amanda Maguire <amaguire@dsblawny.com>

Wed, Oct 19, 2016 at 2:25 PM

I was never served. So your process server is lying.  
[Quoted text hidden]

**Milo Silberstein** <MSilberstein@dsblawny.com>  
To: "teribuhl@gmail.com" <teribuhl@gmail.com>

Wed, Oct 19, 2016 at 8:43 PM

Ms. Buhl:

You have received multiple copies of the Summons and Complaint, and you have responded back confirming receipt, and saying that your attorney would call us, but your attorney has not.

The process server has filed a sworn affidavit as to the service upon your residence – an address that was confirmed by you and a court filing.

Should you fail to respond to the Complaint by the statutory deadline of November 4, then we will file with the Court a request for default, and a motion for default judgment, and you would be acting at your own peril.

Please govern yourself accordingly.

Milo Silberstein

**From:** Teri Buhl [mailto:teribuhl@gmail.com]  
**Sent:** Wednesday, October 19, 2016 2:25 PM  
**To:** Amanda Maguire <amaguire@dsblawny.com>  
**Subject:** Re: HONIG v. BUHL, et al.

[Quoted text hidden]

**Teri Buhl** <teribuhl@gmail.com>  
To: Milo Silberstein <MSilberstein@dsblawny.com>

Wed, Oct 19, 2016 at 10:33 PM